

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

October 11, 2005
7:30 p.m. - Council Chambers
5300 Belt Line Road

Present: Mayor Chow, Councilmembers Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Absent: None

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Darryl Berry (Parks), Juan Gutierrez (General Services), Aaron Krause (Police).

Item #R2 - Consent Agenda.

#2a – Approval of the Minutes for the September 27, 2005 Council Meetings.

Councilmember Niemann moved to duly approve the minutes for the September 27, 1005 Council Meetings. Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R3 – Consideration and approval of a nomination for a member to the Board of Directors of the Dallas Central Appraisal District.

Councilmember Hirsch moved to duly approve Resolution No. R05-079 the nomination of Scott Wheeler to the Board of Directors of the Dallas Central Appraisal District. Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R4 – **PUBLIC HEARING** regarding, and consideration of approval of, an Ordinance approving a Special Use Permit for a restaurant located at 5100 Belt Line Road, Suite 704, on application from Pacuigo Ice Cream, Mr. Dok Cha Kim, represented by Mr. Soh Koo Lee of Lee's Construction.

Mayor Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Chow closed the meeting as a public hearing.

Councilmember Braun moved to duly approve Ordinance No. 005-052 approving a Special Use Permit for a restaurant located at 5100 Belt Line Road, Suite 704, on application from Pacuigo Ice Cream, subject to no conditions. Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R5 – **PUBLIC HEARING** regarding, and consideration of approval of, an Ordinance approving an amendment to a Special Use Permit for a restaurant, and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 14248 Marsh Lane, on application from Burger House, represented by Mr. Angelo Chantilis, Sr.

Mayor Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Chow closed the meeting as a public hearing.

Councilmember Mellow moved to duly approve Ordinance No. 005-053 approving an amendment to a Special Use Permit for a restaurant, and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 14248 Marsh Lane, on application from Burger House, subject to the following conditions:

- The applicant shall provide irrigated landscaping along the east side of the property that complies with the plant quantity requirements in the landscape regulations.
- The applicant shall substitute crape myrtles for the tree-form wax leaf ligustrum shown just to the east of the building by the proposed drive-thru.
- The applicant shall substitute a more suitable shrub for the Tam Juniper shown in front of the building.
- The applicant shall remove the abandoned sidewalk area and low concrete retaining wall in front of the building and convert that area to landscaping.
- The applicant shall substitute a perennial shrub for the fountain grass shown on the plan.

-The applicant shall top-dress and level all turf areas up to the grade of surrounding concrete areas.

-The applicant shall submit a plan that shows existing and new irrigation, which needs to include a plan to connect a freeze and rain sensor to an automatic irrigation controller.

Councilmember Kraft seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R6 – **PUBLIC HEARING** regarding, and consideration of approval of, an Ordinance approving a Special Use Permit for a Christmas Tree Lot in an Industrial-1 district, located at 14223 Dallas Parkway, on application from Patton's Corner, represented by Mr. Jeff Patton.

Mayor Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Chow closed the meeting as a public hearing.

Councilmember Mallory moves to duly approve Ordinance No. 005-054 approving a Special Use Permit for a Christmas Tree Lot in an Industrial-1 district, located at 14223 Dallas Parkway, on application from Patton's Corner, subject to no conditions. Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R7 – Consideration and approval of a Resolution authorizing the City Manager to enter into an agreement with Sasaki, Inc., for a reimbursement to the Town, in an amount not to exceed \$91,537.00, for modifications made by Dee Brown, Inc., to the interactive fountain basin at Addison Circle Park.

Councilmember Kraft moved to duly approve Resolution No. R05-080 authorizing the City Manager to enter into an agreement with Sasaki, Inc., for a reimbursement to the Town, in an amount not to exceed \$91,537.00, for modifications made by Dee Brown, Inc., to the interactive fountain basin at Addison Circle Park. Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R8 – Consideration and approval of a Resolution authorizing the City Manager to enter into an agreement with Dee Brown, Inc., in an amount not to exceed \$91,537.00, for modifications to the interactive fountain basin at Addison Circle Park.

Councilmember Niemann moved to duly approve Resolution No. R05-081 authorizing the City Manager to enter into an agreement with Dee Brown, Inc., in an amount not to exceed \$91,537.00, for modifications to the interactive fountain basin at Addison Circle Park. Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #9 – Consideration and approval of an Ordinance of the Town of Addison amending Chapter 82 of the Code of Ordinances by amending sewage and water rates for all customer classifications; providing a savings clause; providing a severability clause; providing an effective date.

Councilmember Niemann moved to duly pass Ordinance No. 005-055 amending Chapter 82 of the Code of Ordinances by amending sewage and water rates for all customer classifications; providing a savings clause; providing a severability clause; providing an effective date. Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #10 – Consideration and approval of an Ordinance amending Solid Waste, Chapter 66, Ordinance II, Section 53 of the Code of Ordinances regarding the requirement for a solid waste collection permit.

This item was withdrawn per staff's request.

There being no further business before the Council, the meeting was adjourned.

Mayor

Attest:

City Secretary